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Chairman: Mr. Faati (Vice-Chairman) ..... (Gambia)

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In the absence of Mr. Al Bayati (Iraq), Mr. Faati (Gambia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 65: Elimination of racism and racial discrimination (continued)

(a) Elimination of racism and racial discrimination (*continued*) (A/61/18, A/61/186, A/61/260 and A/61/335)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*) (A/61/337)

Agenda item 66: Right of peoples to self-determination (*continued*) (A/61/333 and A/61/341)

1. **Ms. Simovich** (Israel), speaking in exercise of the right of reply, said that Israel was proud to have Arab members of parliament, an Arab Supreme Court judge, Arab newspapers, Arab policemen and Arab diplomats. Arabic was the second official language of Israel and all minority rights were protected by law. The official policy of all Israeli Governments had always been to accept a two-State solution to the Palestinian-Israeli conflict and to treat its Arab minority population as citizens with full and equal rights under the law. The inclusion of Mr. Avigdor Lieberman in Prime Minister Ehud Olmert's Government did not mark any change in official Israeli policy toward Palestinians or have any consequences for Israel's Arab minority population.

2. The same could not be said, however, of Hamas and the terrorist Government of the Palestinian Authority, which had repeatedly refused to accept the three basic conditions put forward by the Quartet and endorsed by the international community: to recognize Israel, renounce violence and accept previous agreements. That refusal reinforced the real goal of Hamas, which was to destroy the State of Israel and all its citizens. Unlike the Government of Palestine, Israel was fully committed to peace and the Road Map process.

3. **Mr. Hijazi** (Observer for Palestine), speaking in exercise of the right of reply, said that Israel was applying racist policies against its Arab and Palestinian citizens. More than eighty per cent of former Palestinian lands had been confiscated. Israel was the only country in the world that defined itself not as a State of its residents or citizens, but as a State of all the Jews in the world. As a result, Jews from anywhere in the world could come to Israel, declare citizenship and be granted all the privileges of being Jewish. However, Palestinians who had been living in the area for thousands of years could not enjoy the same rights. It was widely known, even in Israel, that there were four levels of citizenship in the country, the first three being the different layers of participation in Israeli society, with the Palestinians below those three layers. Indeed, Amnesty International had been looking into the treatment of Palestinian citizens in Israel, where minors and children were being arrested, beaten and detained for days. Palestinians inside and outside the Green Line were treated as if they were less human, and such treatment was rooted in the very definition and basic law of the Israeli State.

4. The appointment of Mr. Avigdor Lieberman as Minister of Strategic Affairs had been criticized by many writers and journalists, who had accused him of advocating racist policies that threatened to foster regional conflict and institutional racism against Arab Israeli citizens and other Arab democracies. He was also accused of having threatened to bomb the Aswan Dam. Mr. Lieberman, who favoured the removal of Arab Israelis from Israel, could one day become Defence Minister or even Prime Minister of Israel. The endorsement by the Israeli Government of such a racist politician spoke volumes about its view of Palestinians in particular and Arabs in general.

Agenda item 41: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/61/12 and Add.1, A/61/224 and A/61/301)

5. **Mr. Rosengren** (Finland), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Liechtenstein, Moldova and Ukraine, said that the European Union was deeply concerned about the situation of refugees in many countries. Some 23 million people worldwide remained internally displaced as a result of violence and armed conflict; the humanitarian crisis in Darfur was ongoing and humanitarian workers were facing security

problems. The European Union supported the efforts of the United Nations High Commissioner for Refugees (UNHCR) to find durable solutions to the refugee problem and called on all parties to give humanitarian personnel free and secure access to affected populations. The principle of non-refoulement should be respected in all circumstances to ensure that asylum-seekers and refugees were not returned forcibly to their country of origin, and UNHCR should be able to monitor the voluntary return process.

6. Some positive trends were emerging: the global refugee population was at its lowest level in a quarter of a century and many refugees and internally displaced persons had been able to return home, especially in Afghanistan and Africa. The European Union recognized the invaluable contribution of many refugee-hosting countries in protracted refugee situations and intended to support those efforts through regional protection programmes.

7. The European Union considered the 1951 Convention and its 1967 Protocol to be the foundation of international protection for asylum-seekers. It therefore urged countries that were not parties to the Convention to ratify it and States parties to fully implement it. The European Union recognized the crucial role played by UNHCR in developing asylum policies and in preserving and developing international refugee law. It would therefore seek the contribution of UNHCR in building its common European asylum system around the protection of refugees. It supported the ten-point action plan proposed by UNHCR to address the issue of mixed migratory flows and felt that the protection of refugees should form an integral part of migration policy.

8. The European Union hoped to work with others to improve the international response to humanitarian emergencies. The cluster leadership approach was important for enhanced information exchange and coordination and the lead role played by UNHCR in that connection was welcome. Effective coordination with other United Nations agencies, the Red Cross movement, NGOs, host countries, donors and other relevant partners was crucial for success. While UNHCR needed to be given additional resources and capacity to perform its new role of protecting and assisting internally displaced persons, its core mandate should not be undermined.

9. The European Union rejected intolerance, xenophobia and exclusion and wanted to remain a safe haven for refugees. It supported the efforts of UNHCR to mainstream age and gender into all its programmes and welcomed the adoption by the Executive Committee of the Conclusion on women and girls at risk and the Conclusion on statelessness, to protect the groups most often forgotten. The European Union approved the structural and management change process within UNHCR and supported the draft resolution on the Office of UNHCR as well as that submitted by Costa Rica and Estonia on increasing the Executive Committee membership from 70 to 72. The European Union encouraged UNHCR to seek further support from NGOs for the implementation of its operations. It also supported the efforts of the High Commissioner to broaden the donor base and enhance private fund-raising in order to share the burden more equitably.

10. **Mr. Miyamoto** (Japan) said that, while the number of refugees had been decreasing in recent years, some protracted situations remained, as humanitarian workers were being exposed to various forms of violence. Refugee-related issues should be approached from a human security standpoint, in order to empower individual refugees. UNHCR had undertaken many projects in refugee camps and communities to that end and Japan contributed by helping to set up the United Nations Trust Fund for Human Security.

11. The serious challenges currently facing UNHCR included assistance to internally displaced persons and organizational reform. The roles and responsibilities of the relevant organizations providing assistance under the cluster approach must be clarified and adequate financial resources made available. To improve effectiveness on the ground, it was important to strike the right balance between staff and management costs, on the one hand, and operational costs, on the other; to institute a more flexible and effective human resources strategy; to broaden the donor base and to strengthen relations with NGOs. Japan would continue providing the necessary assistance to eliminate the need to protect and assist refugees.

12. **Ms. Fontana** (Switzerland) said that mixed migratory flows had become a worldwide phenomenon that required a global response from governments, international organizations and NGOs. UNHCR also had a crucial role to play in maintaining and

strengthening the asylum system. It was important to distinguish between refugees and migrants, so that measures taken to control irregular migration did not affect the rights and international protection afforded to refugees.

13. Another challenge facing UNHCR was how to protect internally displaced persons without undermining the needs and interests of the host population. Switzerland favoured a collaborative approach to that challenge and encouraged UNHCR to take more systematic measures to help displaced persons, provided that those measures did not detract from its primary mission of protecting refugees.

14. Her Government was happy with the temporary solution adopted for the financing of specific projects in selected pilot countries to protect internally displaced persons. While that would enable UNHCR to fulfil its new mission under the cluster approach, a clear, coherent and realistic vision was needed to establish the terms of engagement of UNHCR on behalf of internally displaced persons.

15. **Mr. Afifi** (Egypt) said that his country was a party to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, and was committed to enhancing international refugee law through Convention Plus, as well as other initiatives designed to deal with changing international conditions. Egypt was ready to expand its cooperation with the Office of the High Commissioner for Refugees, particularly with respect to the Office's voluntary repatriation programmes in Africa. Despite the successes mentioned in the High Commissioner's report in document A/61/12, funding remained a major problem, and his delegation called on all parties to provide unconditional support to make up the shortfall.

16. Attention should be devoted to eliminating the root causes of the conflicts that produced refugees, providing technical and financial support to developing countries that hosted refugees, integrating international refugee law with international human rights law in a way that addressed both the rights of refugees and countries' concerns about irregular migration, and creating conditions favourable to voluntary repatriation. The Peacebuilding Commission was an important tool with respect to that last goal. His delegation welcomed the voluntary repatriation of over one million refugees in 2005.

17. The solution to the steady increase in the number of internally displaced persons should not come at the expense of the original mandate of the Office of the High Commissioner for Refugees. The problem of refugees ultimately had political and economic causes, and could be solved only by an integrated humanitarian vision based on international law.

18. **Mr. Atoki** (Democratic Republic of the Congo), speaking on behalf of the Southern African Development Community (SADC), said that the number of refugees in the world is currently lower than it had been in over 25 years. Nonetheless, violent internal conflicts continued to cause suffering for millions of civilians.

19. In making changes to the way UNHCR functioned, the High Commissioner should take into account the difficulties of developing host countries. The international community should continue to address the root causes of refugee movements. Support for peacebuilding, conflict resolution and prevention efforts was essential.

20. Africa remained the continent most affected by forced displacements, refugee and displaced person issues. The establishment of the Peacebuilding Commission was a welcome step and UNHCR should work actively with the Commission to ensure that refugees' needs were incorporated into reconstruction processes.

21. Host countries, particularly developing countries with meagre resources, bore a heavy humanitarian burden when receiving large numbers of refugees and internally displaced persons. Measures to return refugees and internally displaced persons should be accompanied by programmes to strengthen absorption capacity and foster reintegration in receiving communities.

22. SADC was deeply concerned about the prevalence of sexual and gender-based violence and its increased use against refugees. All such violence, whether carried out by combatants or humanitarian workers, should be strongly condemned. SADC took not of financial shortfalls which had affected the capacity of UNHCR to provide social services, particularly basic education programmes. Cuts in education programmes increased the risk of labour and sexual exploitation.

23. **Ms. Merchant** (Norway) said that her country welcomed the adoption by the Executive Committee of the Conclusion on women and girls at risk, which should serve as a platform for a stronger follow-up to Security Council resolution 1325 (2000) on women and peace and security. It also commended the High Commissioner for including a post of senior gender adviser in the annual budget. Norway supported the work of UNHCR on internally displaced persons and would like those efforts to be better reflected in the annual budget.

24. Several aspects of the implementation of the cluster approach still needed to be finalized. The roll-out of the clusters had been delayed owing to confusion about the cluster lead concept. NGOs and partners needed to be actively involved in joint assessments, formulation and implementation. It was important not only to adopt a more coordinated approach but also to ensure that agencies were not overburdened with administrative tasks that would distract them from providing support and protection at field level.

25. **Mr. Floyd** (United States of America) said that core protection field posts should be preserved as UNHCR sought to make operations more cost-effective and efficient. The work of such officers was at the heart of the UNHCR mandate. The new registration tool, Project Profile, had been supported by a number of donors, including the United States, and its use should become routine in new refugee situations.

26. Reform was crucial to the long-term success of UNHCR. Implementation of results-based management and the Structural and Management Change Process would involve difficult but necessary decisions.

27. Partnerships were key to securing durable solutions such as the return of refugees to southern Sudan, Burundi and the Democratic Republic of the Congo. Partnerships with Governments, host populations, humanitarian organizations and development agencies were necessary to maintain peace and provide support for recovery and re-education.

28. UNHCR, donors (including the United States) and the Governments of Nepal and Bhutan were working to resolve the Bhutanese refugee situation in Nepal. The long-awaited refugee census in Nepal was an important first step. The countries concerned and UNHCR were urged to expand their refugee resettlement work.

29. It was important to determine who was internally displaced. Governments must be held responsible for resolving the conditions that caused forced displacement.

30. Security, traditionally the domain of police and the military in the host countries, was being handled more and more frequently through partnerships. The situation in eastern Chad, northern Central African Republic and Darfur was a matter of concern. Under Security Council resolution 1706 (2006), there were plans to establish "a multidimensional presence consisting of political, humanitarian, military and civilian police liaison officers" in key areas in Chad and, if necessary, in the Central African Republic.

31. **Mr. Guo** Jiakun (China) said that the number of refugees worldwide had continued to drop and was currently 8.3 million. However, with the increase in the numbers of internally displaced persons, the total number of people under the care of UNHCR stood at approximately 20 million. Developing and underdeveloped host countries were under severe strain due to the massive numbers of refugees they had taken in.

32. In recent years, internally displaced persons had attracted international attention due to their growing numbers. International assistance agencies both within and outside the United Nations system had worked together to develop a mechanism for assisting those persons, and UNHCR had been designated as the leading agency for the mechanism.

33. Irregular mixed population movements had become a serious challenge to the international refugee protection system. It was difficult to ensure that the asylum regime was not abused by various categories of people moving illegally, while at the same time providing timely and effective protection for genuine refugees.

34. **Ms. Blitt** (Canada) said that the lower number of refugees was offset by the large number of internally displaced persons and of protracted refugee situations and increases in the average length of time spent in exile. Solutions must be sustainable and include physical security, access to essential infrastructure, services and livelihoods, effective civil institutions and

the rule of law. The Peacebuilding Commission had a fundamental role to play.

35. Canada welcomed the adoption by the UNHCR Executive Committee of the Conclusion on women and girls at risk and the Conclusion on statelessness and the UNHCR Operational Guidelines on Maintaining the Civilian and Humanitarian Character of Asylum, which would assist in the separation of armed elements from refugees. A gap remained between the stated commitments of Governments and their actions, as demonstrated by continued forced displacement and cases of refoulement.

36. **Prince Al-Hussein** (Jordan), referring to the report of the Secretary-General on the new international humanitarian order (A/61/224), welcomed its proposal regarding the development of an agenda for humanitarian action. Joint efforts to support the five key issues mentioned in that report, namely prevention, access to people in need, the right to humanitarian assistance, local capacity-building and burden sharing, would be very useful. The Independent Bureau for Humanitarian Issues (IBHI), which had cooperated closely with Jordan, would be involved in developing the proposed agenda and would assist in the implementation process. The Bureau, in conjunction with Bosnia and Herzegovina, had developed a declaration containing "Basic Tenets of Humanitarian Action in Emergency Situations", which had been distributed to Member States. He also drew attention to the report of the Independent Commission on Humanitarian Issues, which was useful for the development of the international humanitarian order and the proposed agenda. The relevant draft resolution, which his delegation had prepared, focused on desired future action.

37. **Ms. Mtawali** (United Republic of Tanzania) said that her country continued to uphold its commitment to the humanitarian cause by providing asylum to refugees. The total refugee population in the country as at 30 September 2006 stood at 520,620, of which 40 per cent were self-sufficient. The remaining 60 per cent lived in refugee camps and received assistance from the international community. Although in the past the Government had allocated land for settlement of refugees, it was unable to allocate any additional land. Voluntary repatriation was therefore the best option, and the Government was currently engaged in major operations to repatriate refugees from Burundi and the Democratic Republic of the Congo.

38. With the assistance of UNHCR, as at 30 September 2006, about 260,000 Burundians had been repatriated, leaving a population of about 370,000 in the United Republic of Tanzania, only 46 per cent of whom received international assistance. The repatriation process was facing some serious obstacles, especially underfunding. With the signing of the Peace Agreement of 7 September 2006 between the Government of Burundi and the last rebel group, mass repatriation was possible in the near future, which called for a review of priorities. A sustainable repatriation process would require strengthening of the capacity of reception centres in Burundi, allocation of land to returnees and provision of assistance during the first few months following their return. Because of the improved security situation in Burundi, her Government had stopped granting prima facie refugee status, and each asylum-seeker from Burundi must undergo individual procedures to determine status.

39. With regard to the voluntary repatriation of refugees from the Democratic Republic of the Congo, it could be anticipated that, if conditions improved after the presidential elections, there would also be massive repatriation. Since October 2005, when voluntary repatriation of Congolese refugees had begun, 28,000 had already returned.

40. Her delegation was very concerned about the dwindling finances of UNHCR, and urged donors to increase their support. It wished to thank the Governments of the United States of America and Denmark for their assistance. More than 10,000 Burundian refugees had been identified and were scheduled for resettlement in the United States, with the first group expected to leave the United Republic of Tanzania in January 2007. The Government of Denmark had also funded projects in support of vocational training and production, water, sanitation, integrated natural resource management and improved protection capacity, which would benefit both refugees and the local population.

41. Like any sovereign State, her country had the right and obligation to protect itself from unlawful entry and stay by aliens. The Government would continue its crackdown on illegal immigrants, regardless of their origin, but would take care to ensure that bona fide refugees were not expelled. Committees comprised of Government officials from the United Republic of Tanzania and its neighbouring countries worked together to ensure that expulsions of illegal

immigrants were conducted safely and with dignity. It was a joint responsibility to ensure that asylum and protection were not misused.

42. **Mr. Kruljevic** (Serbia) said that refugees still posed problems in Serbia, in terms of the humanitarian dimension in particular, with major domestic and international implications. Serbia was still hosting a very large displaced population as a result of past regional conflicts: according to the latest statistics, there were 106,000 refugees and 208,000 internally displaced persons. Although the number had decreased significantly in recent years, many who had obtained citizenship as a first step towards local integration were still in need of assistance. The legal framework for integration programmes had been strengthened, especially with regard to housing issues.

43. Voluntary return was the best solution for the remaining displaced population in the region, and he underlined the importance of restitution of property and full respect for occupancy, tenancy and property rights, which would give refugees a choice between repatriation and local integration. The Sarajevo Declaration, signed in January 2005 with the representatives of Bosnia and Herzegovina, Croatia and Serbia and Montenegro, provided a way forward but difficulties had been encountered in finalizing the joint implementation matrix because of some outstanding issues with Croatia. His Government remained committed to its full implementation and looked forward to receiving concrete proposals on all outstanding issues.

44. Few of the internally displaced persons from Kosovo and Metohija currently in Serbia had chosen voluntary repatriation because of a lack of security and human rights protection. To encourage the repatriation process, necessary preconditions for sustainable return must be established, including guarantees of economic, social, cultural and property rights. As for local integration of those refugees within Serbia, the assistance of the international community was needed to establish self-reliance projects and provide direct assistance.

45. With regard to the readmission agreements that some countries had concluded with the United Nations Mission in Kosovo (UNMIK), his delegation appreciated the continuing efforts of UNHCR to oppose involuntary return of minority populations, which was not a viable solution as long as basic conditions for sustainable return did not exist. Its assistance in developing an adequate asylum system in the region was also greatly appreciated.

46. **Mr. Amangoua** (Côte d'Ivoire) said that no region in the world was spared the problem of refugees and displaced persons. The economic, social and political structures of African countries had been put to the test by the civil wars that had engulfed their neighbours. Despite its own social and political crisis, Côte d'Ivoire would continue to offer hospitality to refugees from neighbouring countries. Repatriation and reintegration of Ivorians had begun in Bloléquin and the Guiglo-Bloléquin region, although security conditions were still precarious. Moreover, 85 per cent of the Liberian refugees who had chosen voluntary repatriation in 2005 had returned home, a further 16,500 had returned by their own means, and 473 refugees, mainly Liberian, had benefited from emergency resettlement. As at 30 September 2006, approximately 40,000 Liberian refugees remained in Côte d'Ivoire, with 2,000 more expected to return home by the end of the year.

47. The solution to the problem of refugees and displaced persons lay in the peaceful settlement of disputes, creating a climate favourable to voluntary return. His country had always promoted peace through dialogue. Africa must establish democratic structures and promote respect for human rights in order to cultivate a culture of peace. Good governance and the rule of law, equitable sharing of resources and access for all to health care, education and adequate food were the basic requirements for a democracy. They were also the best way to avoid the frustrations leading to social upheaval that could degenerate into conflict and cause displacement. The international community must make a firm commitment to support such efforts by African countries. Regional economic integration would help Africa to meet the challenges of globalization. The international community should provide Africa with the assistance required to achieve that objective, in particular through the New Partnership for Africa's Development (NEPAD).

48. **Mr. Saeed** (Sudan), speaking in exercise of the right of reply, noted that both the representatives of Finland speaking on behalf of the European Union and the representative of the United States of America had made reference to the situation in Darfur and the security problems facing humanitarian workers in the region. The European Union took every opportunity to

refer to the situation in Darfur, but its allegations were untrue. A peace agreement had been signed between the Government and the rebel groups, and the security situation was improving. An agreement had also been reached on the flow of humanitarian assistance, and many humanitarian agencies were operating through safe corridors. Any obstacles to humanitarian aid were caused by the rebel groups. The European Union should refrain from making statements that targeted the unity and security of the Sudan and attempted to undermine the Peace Agreement. That type of statement served not the cause of peace in the Sudan but a hidden political agenda. The international community should support the peace and encourage other groups to sign the Agreement.

49. With regard to the reference made by the United States representative to Security Council resolution 1706 (2006), his country's position was well known: the African Union Mission in the Sudan (AMIS) should not be transformed into a United Nations operation. Another way must be found to further cooperation between the United Nations and the Sudan, and the Third Committee was not the place to discuss it. The situation in Darfur could best be resolved through support to the Peace Agreement and redoubling of humanitarian efforts.

The meeting rose at 5.05 p.m.